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Using Problem-based learning (PBL) in teaching law to social work students

In Aalborg, the law teachers have chosen to supply traditional lectures with case-based instruction focused on problem-based learning. The inspiration comes from the "seven jump step" of the Maastricht model, but it has been modified for the purpose of teaching law. The students work with specific legal problems in small groups and the group-work is complemented by a web-based learning space, where the students have the opportunity to ask questions to the teacher.

In this paper the motivation, challenges and experiences of introducing a new teaching strategy and pedagogical approach is presented.

Bachelor of Social Work

"Social Work" at Aalborg University is a 3 ½-year profession-bachelor and consists of theoretical as well as practical education. The first semester is common with other social science educations. This semester is followed by 3 years of theoretical education and practical training. The students are introduced to different subject areas. The four main areas are: Social work, psychology and psychiatry, social science and *law*. The legal area includes lessons in social security law, administrative law, family law and civil law. The course extend over five semesters. It ends with an individually written examination based on a case. An important part of the exam is to test the ability of the students to identify the legal problems of the case, address these problems and suggest a solution applying the law.

According to the regulations of the social worker education (BEK No. 536, 28/06/2002) § 9, paragraph 3, the aim of the legal area is for the students to achieve proficiency in the legal and administrative fields, in order to take in the relevant professional elements from general, substantive and procedural law, as a basis to act in applying the law and as legal adviser.

A challenging task

In the past few years the law teachers have contemplated how to give the students the best possible opportunity to achieve proficiency in the legal area. There are many challenges for the students as well as for the teachers.

The subject area itself – especially social security law – is characterised by being a gigantic legal area, reaching from the law of social security benefit rights such as sickness benefit and incapacity benefit, to the law of children rights. In addition, the law is very changeable, detailed, complex and often based on the discretionary power of the administration.

As a consequence of the frequent changes in legislation, there is no up-to-date usable textbook material comprising social security law because the material becomes obsolete within a very short time. Consequently to a great extend the students use the law itself instead of actual textbook material, which places great demands on the individual.

The students are not law students, but social work students. Often they have no knowledge of, or desire to administrate, the law when they start their studies. Many of the students see themselves more as therapists than administrators and they are often surprised by the amount of legislation. However, this does not seem to have the effect that the students can't see the purpose of the course.

The challenge concerning the students is mainly concentrated around the lack of knowledge of “*legal method*” in application of law. It has become very evident that one of the core competences of the social worker is applying the law skilfully even though the law changes all the time. This means, however, that the students must be able to master the legal method.

Teaching law to students for whom the subject is only a subsidiary part of their studies is a special challenge. Especially when the “method” of the subject area is very unlike the methods of the other subject areas presented to the students.

In addition to the challenges brought on by the subject area itself and the lack of subject knowledge by the students, it has further been a challenge that the number of lessons has been reduced. In other words, the curriculum has increased significantly whereas the lecturing time simultaneously has been reduced.

The problems are many, but significantly the following: The experience of chaos and lack of oversight by the students, the productiveness of the legislator, the volume and complexity of the law, the inadequacy of lectures and discrepancy between teaching, learning materials and the practical reality.

In consequence of the challenges identified, an urgent need to rethink law teaching has arisen.

Teaching law - Case-based instruction and the modification of the Maastricht ‘Seven Jump’ Process

Traditionally, the teaching has been done by delivering a series of “traditional” lectures. Typically there are about 100 students in one class. The class is often divided into two teams while lecturing. The aim of the lectures is to review basic principles in the various fields of law. The lectures are very well suited for introducing new areas of law and explaining the main principles, but not for slavishly reviewing the various laws. The experience with this kind of teaching has proven insufficient providing the students with sufficient knowledge of legal methods. In other words, the students know what the law contains, but not how to apply the law.

The experience with the use of group work had been rather poor, so it became evident that the students would need to work with specific legal problems in order to understand the application of legislation. This started the revitalisation of the case-based instructions.

We decided to cut the number of lessons and supplement the lectures with case-based instructions typically after every one or two lectures.

We chose to give the students specific instructions on the team work. Each group should consist of at least 4 people. The group had to select a chairperson and a minute taker. In solving the tasks, the students should answer the following questions:

- a. What are the legal issues?
- b. What sources of law are to be used in solving the legal issues? (law, regulation, guidance, decisions etc.)?
- c. Describe your application of law. What is the law and facts of the case and what is the legal consequence?
- d. To the extent that the application law contains the exercise of discretion, you must explain what criteria have been included and the balancing of the different criteria.

In answering these questions the group should apply the Maastricht 'Seven Jump' Process, which had been modified by us. We wanted the problem-solving process to generate new knowledge by the students. Knowledge that would be necessary to acquire before they could tackle the problem.

Modified 7 jump Maastricht model:

1) Understanding the concepts

- The group clarifies whether there are terms or phrases that need further enlightenment.

2) Defining the legal problem

- The group discusses the nature of the legal problems and note them down in keywords.

3) Analysing the problem

- Brainstorm - Results of the homework from every member of the group are noted down. All possible and impossible suggestions are included.

4) Evaluating the problem-catalogue

- The group evaluates the proposals put forward in step 3. This is done from existing knowledge and is written down in keywords. (If any information is missing in the case the group will fabricate them (e.g. age, marital status, ethnicity, gender). However, this will rarely be required)

5) Solutions – search for sources of law

- In view of the legal problems selected by the group, the members present the law references they have chosen to be used for the legal analyses. (If the group work results in new/other legal problems, the relevant law references are included for further analysis.) The members of the group will then study the legal sources in relation to the legal problems. The law references that have been chosen by the members are discussed and the group agrees on what to employ.

6) Choice of approach and result

- The group examines the legal issues in relation to the law references and achieves a result.

7) Recapitulation of the case

- The newly acquired knowledge is gathered by the group and the result is compared with the recommended solution offered by the teacher.

The goal was to provide an overview for the students: The students would practice the ability to understand details. The application of law should ensure the ability to understand and apply new rules. The learning environment should provide students with greater opportunity on working together solving legal problems. Obviously, this would require considerable self-discipline for the students, but they would also assume significantly more responsibility for their own learning.

Even though the group work improved significantly there were still problems concerning the communication between the teacher and the students/groups. Some problems simply couldn't be avoided in working with the tasks and the groups had to be helped to some extent.

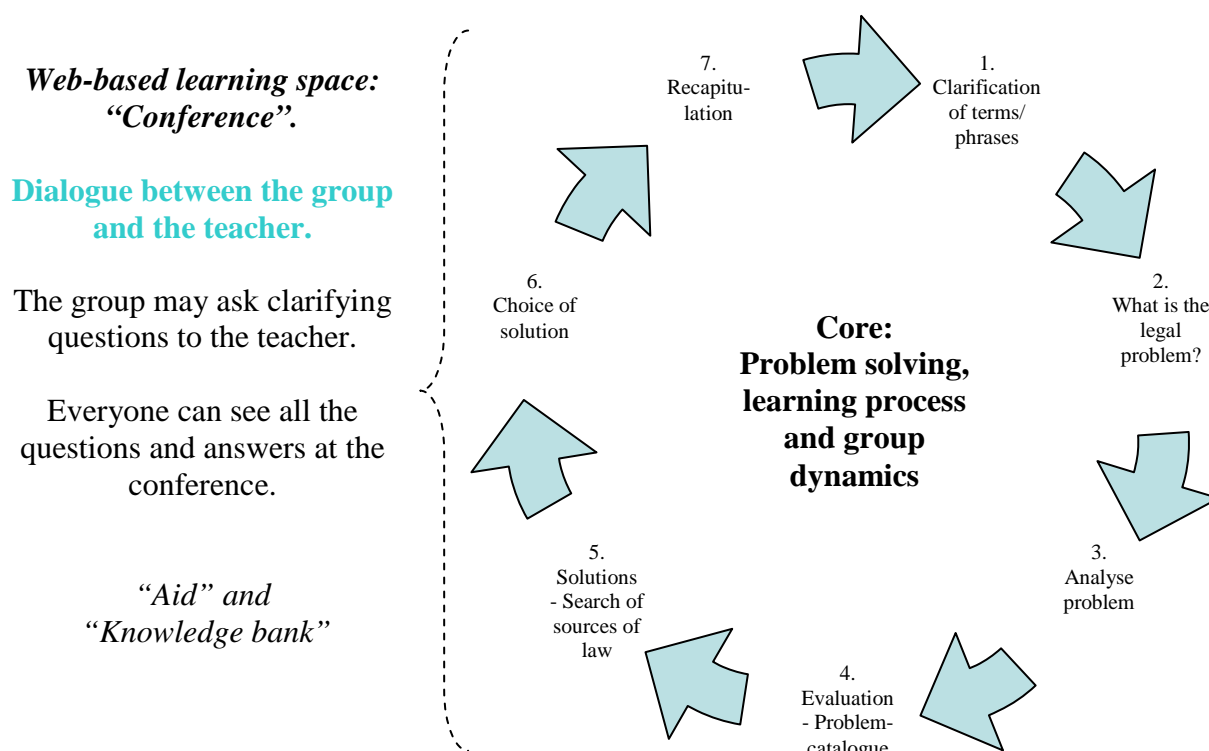
The major problem was the lack of necessary resources to allocate teachers to the groups. For many reasons it was not possible for us to recruit assisting teachers. The Maastricht-model is based on the premise that the problems should be solved definitively in the group assisted by for instance student-tutors.

Since the students had largely been accustomed to using web-based learning resources, including electronic access to relevant laws and decisions, we examined the possibilities for networked learning spaces - a “space” where students could enter a dialogue with the teacher during the process of solving the practical case. The aim was to compensate for lack of supervision by student-tutors.

Case-based teaching using ICT

The students and teachers were already using the First Class platform as the primary communication channel. Through “conferences” it was possible to communicate with fellow students and teachers. This was to be the web-based learning environment.*

We established “conference-rooms” for a specified period - typically a duration of 4 hours. Only students in the “class” could participate in the conference. Questions could only be raised by the group (chairperson) because it was important that students perceived group-work as the prime and the conference as a secondary.



* We have subsequently used Moodle instead of FirstClass. It is not important which system is used but whether it contains the possibility of establishing a closed forum for joint discussion – a web-based learning space.

The *conferences* should be seen as "tools" for the primary which was the group work and problem-solving. This means successful contact with the teachers when the students need help and it allows everyone to benefit from questions and answers. A prerequisite for group work is thorough preparation and an effort trying to solve the task individually before support from the teamwork. Each student in the group presents the problems or uncertainties which he has encountered in solving the tasks and the students work jointly with these problems. The aim is to get deeper into the application of law - and not just "scratching the surface".

The questions to the lecturers at the conference are a result of the joint discussion in the groups according to the individual solution of tasks at home. There are model answers comprising keywords to the tasks assigned at the conference.

Questions at the conference must relate to comprehension questions, i.e. not whether the correct result is achieved. Students can also get help if they are hopelessly deadlocked, i.e. if after working systematically with the task, they can not progress. Questions must be made in groups and the groups must indicate their group number and topic of this issue when they address the conference. The conference is open for the time indicated on the curriculum.

The tasks vary in severity and complexity through the course of study. Some of the tasks are "short answer tasks" where the purpose is to identify relevant law references. Others are "case tasks" where the purpose would be identifying legal issues and resolving more or less complex legal issues.

To make the web-based learning environment a success, it is very important that detailed communication instructions for the conference are distributed to the students.

Experiences – advantages and disadvantages

Advantages:

- As long as the students work together in the group they have the freedom to choose *where* they work as a group.
- Questions can be raised at any time during the conference.
- Questions and answers are available to everyone. This has the effect that the different "conferences" subsequently work as "knowledge banks".
- Students can expect quick answers to their questions. This makes the group work more efficient and increases the likelihood of completing the task.
- The material for solving the case is available on the network.
- The teachers have good opportunity to see where students are having trouble understanding and applying the law. Also the students become aware of problem areas to be examined.
- Within the legal field IT plays a larger role. Many of the relevant legal sources are on the web and they are easily accessible. The electronic access to the law will be an important tool in the future work for the students as social workers. It is therefore an important skill to master these channels of knowledge.
- The students who are usually very quiet during traditional lectures seem to participate more actively in the conference.

Disadvantages

- Some students prefer face-to-face lectures and these students are typically not fully conversant with computer software. This is however not many of the students.
- “Conferences” require the students to be supportive by taking an active part in the session - having self-discipline. A disadvantage of using the system has been that some students have found it less binding. The system gives them the opportunity to enter the conference at a later date and check the correspondence. This problem seems to be the result of a lack of understanding of the concept of problem-based learning. The web-based learning space is in many ways ideal for individual learning. To address this problem, the teachers are very much aware of the importance of explaining the concept to the students at the beginning of each semester – and again at the beginning of each session.